

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 LESLIE JONES,

11 Plaintiff,

No. CIV S-04-1933 ALA P

12 vs.

13 LIEUTENANT E. SANDY, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff has requested the appointment of counsel. The United States Supreme Court has
17 ruled that district courts lack authority to require counsel to represent indigent prisoners in
18 § 1983 cases. *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989). In certain
19 exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to
20 28 U.S.C. § 1915(e)(1). *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991); *Wood v.*
21 *Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not
22 find the required exceptional circumstances. Plaintiff's request for the appointment of counsel
23 will therefore be denied.

24 /////

25 /////

26 /////

////

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation